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BY ECF AND HAND DELIVERY

The Honorable Frank Maas
United States Courthouse
500 Pearl Street, Room 740
New York, NY 10007-1312

Re: *State of New York Ex Rel Vinod Khurana, et al. v. Spherion Corp. (n/k/a SFN Reschedule.*
Group, Inc.), Case No. 15-cv-06605-JFK-FM *Maas, USMS, 2/8/16*

Dear Judge Maas:

Pursuant to Your Honor's individual rules of practice and Local Civil Rule 37.2, Plaintiff/Relator Vinod Khurana (the "Relator") and the City of New York (the "City") submit this joint letter setting forth both parties' positions in a discovery dispute and respectfully request a pre-motion discovery conference.

Background. In early 2011, Relator filed a *qui tam* complaint, and then an amended complaint (hereinafter "AC"), in New York State Supreme Court. The AC was subsequently filed with this Court. ECF No. 23-2 at 60-97. The complaints, *inter alia*, alleged that various defendants, including Science Applications International Corp. ("SAIC"), submitted false claims to the City in violation of the New York State and New York City False Claims Acts ("NYFCA" and "NYCFCA," respectively) in connection with the CityTime software payroll project. This project cost the City approximately \$800 million and was, according to Relator, not intended to succeed but rather to line the pockets of the corrupt contractors, including SAIC. AC ¶2.

In the complaints, Relator alleged that he provided the City with information about the corrupt nature of the project during 2004-2007 while he worked as a load tester for the quality assurance contractor of the project, Spherion Corp. AC ¶¶25-33, 35. Relator also alleged that in early 2009 and 2010 he provided the City's Department of Investigation ("DOI") and the public with information about the corrupt nature of the project, including the fact of a kickback arrangement between certain quality assurance managers and a company called DA Solutions, Inc. ("DAS"). AC ¶¶35, 38-50. Relator identified for DOI the names of the persons he believed were most responsible for the knowing abuse at the project and stated that the City should investigate DAS in an online comment to a *Daily News* article in early 2010. *Id.* This posting was viewed by City Comptroller investigators. *Id.* Relator also asserts that he aided the City's